

REMARKS

Applicant thanks the Examiner for the careful review of this application. Applicant has amended claims 8, 14, and 19 to correct typographical and grammatical errors. No new matter has been added. Claim 14 should report to claim 8, not claim 1. Claims 1-22 remain pending in the application. Applicant respectfully requests that the Examiner consider the following remarks.

Rejections under 35 USC § 103

The Examiner has rejected claims 1-3, 5, 7-10, 12, 14-17 and 19-21 under 35 USC § 103(a) as being unpatentable over Killius (US patent number 2,776,587; hereinafter Killius) in view of Holsapple et al. (US Patent number 3,712,106; hereinafter Holsapple).

With respect to independent claims 1, 8, 15, and 19, the examiner has stated that “Killius discloses removable tool heads (ref 18, 19, 22, 24 of fig 1-6) having bases (15, 21) and rod like mounting pins 17 which are used to attach the tool heads to the bases and to apertures 13 in lever 10. The pins extend through the bases to connect the tool heads to the side surfaces of the lever 10 comprising rod-like members (11, 12).”

The Applicant respectfully asserts that Killius, alone or in combination with Holsapple, do not disclose all the elements of the Applicant’s claims 1 and 15. Killius does not disclose tool heads having a base with top and bottom surfaces; a work piece contacting portion fixed to the top surface of the base; a rod-like mounting portion with a tip support end fixed to the bottom surface of the base; and a threaded connection on the rod-like mounting portion. The pins 17 disclosed in Killius are not fixed to a bottom surface of the tool base 15, they pass through a hole in the base so the base can pivot around the pin 15 (see figs 1, 3, 4, 5 of Killius). While the pins 17 described in Killius are mounted in apertures 13 in lever 10, they do not place each of two work piece contacting portions of the tool heads (ref 18, 19, 22, 24 of fig 1-6) above the upper, and below the lower, surfaces of lever 10 (through which apertures 13 extend), as disclosed in the Applicant’s claims. While Holsapple does disclose threaded connections on the tool heads, the placement of tool heads in opposing directions on lever 12 is also not disclosed. Therefore,

the Applicant respectfully submits neither Killius or Holsapple, alone or in combination, teach or suggest all the limitations and elements of the Applicant's claims 1 and 15. The Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness, that the rejection of claims 1 and 15 under 35 USC § 103(a) is improper, and that claims 1 and 15 are patentable. Since claims 2-7 and 16-18 are proper dependent claims reporting to patentable independent claims, they are also patentable.

The Applicant respectfully asserts that Killius, alone or in combination with Holsapple, do not disclose all the elements of the Applicant's claims 8 and 19. Killius does not disclose tool heads having a work piece contacting portion with a bottom surface; a rod-like mounting portion with a tip support end fixed to the bottom surface of the work piece; and a threaded connection on the rod-like mounting portion. The pins 17 disclosed in Killius are not fixed to a bottom surface of the tool base 15, they pass through a hole in the base so the base can pivot around the pin 15 (see figs 1, 3, 4, 5 of Killius). While the pins 17 described in Killius are mounted in apertures 13 in lever 10, they do not place each of two work piece contacting portions of the tool heads (ref 18, 19, 22, 24 of fig 1-6) above the upper, and below the lower, surfaces of lever 10 (through which apertures 13 extend), as disclosed in the Applicant's claims. While Holsapple does disclose threaded connections on the tool heads, the placement of tool heads in opposing directions on lever 12 is also not disclosed. Therefore, the Applicant respectfully submits neither Killius or Holsapple, alone or in combination, teach or suggest all the limitations and elements of the Applicant's claims 8 and 19. The Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness, that the rejection of claims 8 and 19 under 35 USC § 103(a) is improper, and that claims 8 and 19 are patentable. Since claims 9-14 and 20-22 are proper dependent claims reporting to patentable independent claims, they are also patentable.

With respect to claims 1,8,15, and 19, the Applicant respectfully submits that the combination of Killius and Holsapple is improper. Firstly, there is insufficient motivation to combine the teachings of Killius with those of Holsapple. There is no suggestion in Killius, that the tools heads described in Holsapple can used on lever 10, or attached to base 15. Killius describes a tool with hook type tool heads for pulling on the edge of sheet metal (figs 3-5). Placing the threaded tool heads of Holsapple within apertures 13 or 16 would result in a non-

functioning device, unsuitable for its original intended application. There is no mention or suggestion in Killius to use the lever base 20 in any position other than the end of the lever handle, or to use more than one lever base structure in other hole positions along the handle. Secondly, there is no suggestion in Holsapple to mount the tool heads in opposing directions. This invention was devised to straighten planar sheets (col 1, line 20), and the vacuum cups on the tool heads allow the fulcrums to apply forces to the outward side of a single panel, without need to access the inner surfaces, and without need to create leverage from separate structures (col 1, Introduction). This is seen as an advantage by Holsapple, therefor there is no motivation or suggestion to mount the tool heads in opposing directions, as this would defeat the objective of being able to straighten planar sheets using a single outside surface. The Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness, that the rejection of claims 1,8,15, and 19 under 35 USC § 103(a) is improper, and that claims 1,8,15, and 19 are patentable. Since all remaining claims are proper dependent claims reporting to patentable independent claims, they are also patentable.

CONCLUSION

Applicant believes that all pending claims are clearly allowable over the known prior art and respectfully requests a Notice of Allowance for this application from the Examiner.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D'Arcy H. Lorimer", written over a horizontal line.

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